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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BROADCOM CORPORATION,

Plaintiff.

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350 (MLC)

**QUALCOMM INCORPORATED'S SUPPLEMENTAL RULE 26(a)(1)
DISCLOSURES**

Defendant QUALCOMM Incorporated ("Qualcomm") hereby submits the following supplemental disclosures pursuant to Rule 26(e)(1) of the Federal Rules of Civil Procedure. The following supplemental disclosures are intended to supplement Qualcomm Incorporated's Amended and Supplemental Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, dated December 21, 2007 (the "Amended and Supplemental Initial Disclosures"). Qualcomm has not fully completed its investigation into its claims and/or defenses herein and makes these disclosures based solely upon information reasonably available to it to date and reserves the right to amend or further supplement: (i) these supplemental disclosures and (ii) the Amended and Supplemental Initial Disclosures. Qualcomm makes these disclosures subject to, and without waiver of, any attorney-client, work product or other applicable privileges or immunities.

A.i. The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Based upon the information reasonably available to Qualcomm at the present time, the following individuals may have discoverable information, relating to the bracketed subjects, that Qualcomm may use to support its defenses herein.

1. Heikki Ahava
Vice President of Research and Standardisation
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 FIN-00045
 [Nokia's licensing policies and practices; Nokia's policies and practices with regard to intellectual property rights ("IPR") disclosure and the making of FRAND commitments to standards development organizations ("SDOs"); Nokia's participation in technical SDOs]

2. Skott Ahn
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LG Twin Towers 20
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[LG Electronics Inc.'s practices with regard to purchasing chips for use in broadband wireless communications devices; LG Electronics Inc.'s evaluation of Broadcom's wireless communications chips and Qualcomm's wireless communications chips; LG Electronics Inc.'s business plan with respect to purchasing chips for broadband wireless communications devices]
3. Kasim Alfalahi
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[Interpretation and application of the European Telecommunications Standards Institute ("ETSI") IPR policy; Interpretation and application of the ETSI FRAND licensing policy; Ericsson's licensing practices; Ericsson's practice with regard to IPR disclosure and the making of FRAND commitments to ETSI; Project Stockholm]
4. Mr. Hidehito Aoyagi
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[Qualcomm's licensing practices]
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President of the Institute of Electrical and Electronics Engineers ("IEEE") Board of Governors
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[IEEE disclosure rules, including the rules concerning participant IPR and affiliation disclosure; Suspension of the IEEE 802.20 Working Group in June 2006; Appeals concerning the IEEE 802.20 Working Group]

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9. Xuemin ("Sherman") Chen
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[Video compression technology standards; Development of the H.264 video compression standard; JVT history, policies and procedures; IPR disclosure practices of JVT participants; Broadcom's participation in the JVT; Video compression industry; Broadcom's video compression products]
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[Project Koala; Project Stockholm; Broadcom's wireless communications business; Broadcom's bad faith in negotiating licenses with Qualcomm; Broadcom's theft of Qualcomm trade secrets; Broadcom/Samsung Cabrio project]

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Interpretation and application of the ETSI FRAND licensing policy;
Industry practice with regard to IPR disclosure and the making of FRAND
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standard; Qualcomm's IPR disclosure to ETSI prior to the selection of
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Interpretation and application of the ETSI FRAND licensing policy;
Industry practice with regard to IPR disclosure and the making of FRAND commitments to ETSI; ETSI's selection of WCDMA for the UMTS standard]
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commitments to ETSI; ETSI's selection of WCDMA for the UMTS
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[Project Koala; Project Stockholm; Broadcom's wireless communications
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50. Greg Stephenson
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[JVT history, policies and procedures; Broadcom's participation in JVT;
Creation and adoption of the H.264 standard; IPR disclosure practices of
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[Interpretation and application of the ETSI IPR policy; Interpretation and
application of the ETSI FRAND licensing policy; Ericsson's licensing
practices; Ericsson's practice with regard to IPR disclosure and the
making of FRAND commitments to ETSI; ETSI's selection of WCDMA
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55. Richard K. Templeton
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[Project Stockholm; Texas Instruments' wireless communications business, including Texas Instruments' market shares, Texas Instruments' wireless communications chips and Texas Instruments' evaluation of Broadcom's wireless communications chips and Qualcomm's wireless communications chips]
56. Patricia Thaler
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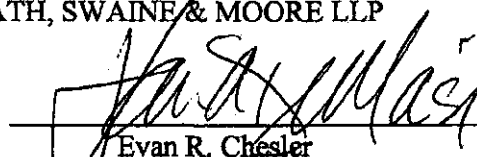
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58. Kiyoyuki Tsujimara
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59. Shannon Tyson
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[Broadcom's interpretation and application of the IPR disclosure policies of the relevant SDOs; Broadcom's standardization activities]
60. Thomas Wiegand
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[JVT history, policies and procedures; Broadcom's participation in JVT; Creation and adoption of the H.264 standard; IPR disclosure practices of JVT participants]
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62. Mr. Koichi Yamada
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February 29, 2008

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UNITED STATES DISTRICT COURT
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WILLIAM J. WALSH
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BROADCOM CORPORATION,

: Civil Action No. 05-3350 (MLC)

Plaintiff,

v.

: AMENDED PRETRIAL
: SCHEDULING ORDER

QUALCOMM INCORPORATED

Defendant

The Court having considered the positions of the Parties as set forth in both their written submissions and in a conference call held on November 26, 2007, and good cause having been shown;

IT IS on this 30th day of November, 2007

ORDERED THAT:

1. The Parties will complete fact discovery in this case on or before December 19, 2008. No fact discovery will issue beyond that date, except upon motion and for good cause shown.
2. The Parties will complete expert discovery in this case on or before March 27, 2009. Affirmative expert reports will be submitted on or before January 27, 2009. Responsive expert reports will be submitted on or before February 27, 2009. Expert depositions will be complete on or before March 27, 2009.
3. Defendant must respond to Plaintiff's second amended complaint no later than December 21, 2007. If Defendant responds by filing a motion to dismiss, Plaintiff must file its opposition no later than January 25, 2008. Any reply by Defendant must be filed no later than February 15, 2008.
4. In accordance with Fed. R. Civ. P. 30, the Parties shall be limited to no more than 40 depositions per side (multiple day depositions by specific agreement of counsel or by order of the Court, and each deponent to be counted as one deposition) except upon leave of the Court. In accordance with Fed. R. Civ. P. 33, the Parties will be limited to 35 interrogatories (including all subparts), per Party, exclusive of any interrogatories served on or before September 1, 2006, except with leave of the Court.

5. In accordance with Fed. R. Civ. P. 26(a)(1), each Party will submit a letter, on or before December 21, 2007, to the undersigned certifying that initial disclosure has been made. This material will not be filed with the Clerk of Court.

6. Notwithstanding the pendency of any motion to dismiss, and regardless of whether Defendant has served and filed an answer, Defendant shall serve and file counterclaims no later than February 29, 2008.

7. Any motion to amend the pleadings or to join new parties, whether by amended or third-party complaint, must be filed no later than October 3, 2008, and made returnable on October 27, 2008.

8. All discovery in the cases entitled *Qualcomm Inc. v. Broadcom Corp.*, No. 05-CV-01958B (S.D. Cal.); *Qualcomm Inc. v. Broadcom Corp.*, No. 05-CV-01392 (S.D. Cal.); *Qualcomm Inc. v. Broadcom Corp.*, No. 05-CV-01662 (S.D. Cal.) (the "1662 case"); and *Qualcomm Inc. v. Broadcom Corp.*, No. 06-CV-0660 (S.D. Cal.) (the "660 case") shall be deemed to have been produced in this case and treated for all purposes as having been produced in this case, including without limitation as being subject to paragraph 23 of the Court's Order of March 13, 2006, relating to inadvertently produced materials. Qualcomm shall re-produce all documents that it produced to Broadcom in the 1662 and 660 matters, on or before December 21, 2007.

9. Any discovery or case management disputes will be brought to the Magistrate Judge's attention immediately by conference call with local counsel, with letter preceding the conference call. L. Civ. R. 37.1(a)(1); *see also* L. Civ. R. 16.1(f).

10. Counsel will confer in an attempt to resolve any discovery or case management disputes before making such dispute the subject of a motion. No discovery motion will be entertained absent counsel's full compliance with L. Civ. R. 37.1(a)(1); *see also* L. Civ. R. 16.1(f).

11. A status conference will be held before the undersigned at the Clarkson S. Fisher United States Courthouse, Trenton, New Jersey, on May 14, 2008, at 11:00 am to address settlement, the status of depositions, motions practice, and the scheduling of a pretrial conference. Trial is anticipated for June 2009.

12. The attorneys for all Parties are further directed to meet together by agreement, initiated by counsel for the Plaintiff no later than ten (10) days before the date of the pretrial conference to:

- a. discuss settlement;
- b. stipulate to as many facts and issues as possible;

c. prepare a Final Pretrial Order in the form and content as required by the Court. Plaintiff's counsel will prepare the Final Pretrial Order and will submit it to all other counsel for approval and execution. The original and one copy of the executed Final Pretrial Order will be delivered to the pretrial conference. All counsel are responsible for the timely submission of the Final Pretrial Stipulation and Order;

d. examine all exhibits and documents proposed to be used at trial;
and

e. complete all other matters which may expedite both the pretrial and trial of the case.

13. An original and one copy of the proposed Final Pretrial Order are to be submitted five (5) days in advance of the pretrial conference.

14. Appropriately colored markers (obtained from the Clerk's Office) will be affixed to the exhibits at or prior to the time they are shown to opposing counsel at the meeting of counsel referred to above, and each marker will bear the number of the exhibit to which it is affixed.

15. At the pretrial conference counsel should be prepared to discuss settlement of the case. Clients must be made available by telephone.

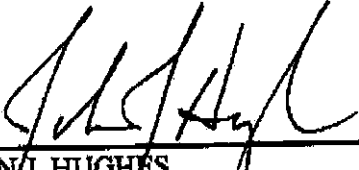
16. The Court may, from time to time, schedule conferences as may be required, either on its own motion or at the request of counsel.

17. Since all dates set forth herein are established with the assistance and knowledge of counsel, there will be no extensions except for good cause shown and by leave of the Court, even with consent of all counsel.

18. Failure to appear at subsequent conferences, or to comply with any of the terms of this Order, may result in sanctions.

19. Counsel is advised that the Court has various audio/visual and evidence presentation equipment available for use at trial at no cost to the Bar. This equipment includes an evidence presentation system, which consists of a document camera, digital projector, and screen. The projector may be used to display images which originate from a variety of sources, including television, VCR, and personal computer. The document camera may be used to display documents, photographs, charts, transparencies, and small objects. For further information, please contact the Courtroom Deputy Clerk, Denis Glynn at 609-989-0545.

20. Counsel are invited to use the *George H. Barlow* Attorney Conference Room located on the third floor of the Courthouse Annex. The room is equipped with telephones, laptop access/printer, copier, and fax.



JOHN J. HUGHES
United States Magistrate Judge

ALL PROPOSED ORDERS AND LETTER MEMORANDA SENT TO CHAMBERS SHOULD BE IN WORDPERFECT FORMAT AND E-MAILED TO: njdnef_hughes@njd.uscourts.gov. ANY FILINGS WITH THE CLERK'S OFFICE SHOULD BE IN PDF FORMAT.